

Appl. No. 10/607,953
Reply to Final Office Action of December 21, 2004

REMARKS

In the Office Action mailed on December 21, 2004 by the United States Patent and Trademark Office, the Examiner rejected claims 1-21. Claims 1, 4, and 13 have been amended. After entry of this response, claims 1-21 are pending in the above-identified patent application. Reconsideration is respectfully requested in light of the above amendments and the following remarks. The following remarks are believed to be fully responsive to the Office Action mailed December 21, 2004 and render all pending claims at issue patentably distinct over the cited references.

I. CLAIM REJECTION UNDER 35 USC § 103

Claims 1-21 were rejected under 35 U.S.C. 103 as allegedly being unpatentable over Prior art of FIG. 1 in the application ("Prior Art") in view of U.S. Patent No. 5,647,432 issued to Ichikawa et al. on July 15, 1997 (hereinafter referred to as "Ichikawa"), in view of U.S. Patent Appn. No. 2003/0067234 issued to White et al. on April 10, 2003 (hereinafter referred to as "White"), U.S. Patent. No. 3,578,873 issued to Baez on May 18, 1971 (hereinafter referred to as "Baez"), and U.S. Patent Appn. No. 2001/0035049 A1 issued to Balch et al. (hereinafter referred to as "Balch"). The Applicants respectfully traverse this rejection.

Independent claims 1, 4, and 13 have each been amended to now recite, *inter alia*, a common stator having a cavity formed therethrough, a first rotor at least partially disposed within the cavity, and a second rotor at least partially disposed within the cavity. Similarly, independent claims 20 and 21 each recite a common stator having an inner surface defining a cavity, a first rotor shaft at least partially disposed within the cavity, and a second rotor shaft at least partially disposed within the cavity.

Ichikawa teaches an actuating apparatus that has a first and a second rotor mounted to a common shaft extending through a stator. White discloses an axle drive apparatus that has two rotor assemblies that act independently from one another. Baez teaches a counter-rotary pump for chemical liquids and dyes that has two rotors that are disposed on separate shafts. Balch discloses a method for determining a reference speed approximating a ground speed of a vehicle

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having a plurality of axes. However, none of the aforementioned references disclose *a first rotor at least partially disposed within a cavity, and a second rotor at least partially disposed within the cavity, where the cavity is formed in the common stator*, as recited in claims 1, 4, and 13, or *a common stator having an inner surface defining a cavity, a first rotor shaft at least partially disposed within the cavity, and a second rotor shaft at least partially disposed within the cavity*, as recited in claims 20 and 21.

The three basic criteria necessary to establish a prima facie case of obviousness are: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings, (2) there must be a reasonable expectation of success, and (3) the prior art reference or references must teach or suggest all the claim limitations. However, it is respectfully submitted that none of the Prior Art, Ichikawa, White, Baez, or Balch, alone or in combination disclose all the claim limitations of at least independent claims 1, 4, 13, 20, and 21. Accordingly, as Prior Art, Ichikawa, and Balch fail to disclose, either explicitly or inherently, at least the above-noted element of claims 1, 4, 13, 20, and 21 and the Examiner has failed to provide such an explicit or inherent disclosure of this element, it is respectfully submitted that the rejection of these claims and the claims that depend therefrom is improper and the Applicants request withdrawal of the § 103 rejection.

II. CONCLUSION

In view of Applicants' remarks, it is respectfully submitted that Examiner's rejections under 35 USC § 103, have been overcome. Accordingly, the Applicants respectfully submit that the application is in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the undersigned at the telephone number below.

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If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 07-0960 for any fee which may be due.

Respectfully submitted,

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Dated: 2-7-, 2005

By: 

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